



## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

**[Docket No. FAA-2021-0917; Airspace Docket No. 21-ANM-45]**

**RIN 2120-AA66**

### **Proposed Amendment of Class E Airspace; Kit Carson County Airport, CO**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to amend the Class E airspace extending upward from 700 feet above the surface of the earth at Kit Carson County Airport, Burlington, CO. This action would accommodate a new area navigation (RNAV) procedure and ensure the safety and management of instrument flight rule (IFR) operations within the National Airspace System.

**DATES:** Comments must be received on or before **[INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590; telephone: 1-800-647-5527, or (202) 366-9826. You must identify FAA Docket No. FAA-2021-0917; Airspace Docket No. 21-ANM-45, at the beginning of your comments. You may also submit comments through the Internet at <https://www.regulations.gov>.

FAA Order JO 7400.11F, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [https://www.faa.gov/air\\_traffic/publications/](https://www.faa.gov/air_traffic/publications/). For further information, you can contact the Airspace Policy Group, Federal Aviation Administration,

800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

FAA Order JO 7400.11 is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order JO 7400.11F at NARA, email: [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov), or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Healy, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S. 216<sup>th</sup> Street, Des Moines, WA 98198; telephone (206) 231-2227.

#### **SUPPLEMENTARY INFORMATION:**

##### **Authority for this Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the Class E airspace extending upward from 700 feet above the surface of the earth to support IFR operations at Kit Carson County Airport, Burlington, CO.

##### **Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and

energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Persons wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: “Comments to Docket No. FAA-2021-0917; Airspace Docket No. 21-ANM-45”. The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

#### **Availability of NPRMs**

An electronic copy of this document may be downloaded through the Internet at <https://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA’s web page at [https://www.faa.gov/air\\_traffic/publications/airspace\\_\\_amendments/](https://www.faa.gov/air_traffic/publications/airspace__amendments/).

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the “ADDRESSES” section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Center, Operations Support Group, 2200 S. 216<sup>th</sup> Street, Des Moines, WA 98198.

#### **Availability and Summary of Documents for Incorporation by Reference**

This document proposes to amend FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15,

2021. FAA Order JO 7400.11F is publicly available as listed in the ADDRESSES section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

### **The Proposal**

The FAA is proposing an amendment to 14 CFR part 71 by amending the Class E airspace extending upward from 700 feet above the surface of the earth at Kit Carson County Airport, Burlington, CO.

The proposed Class E airspace extending upward from 700 feet above ground level (AGL) would be amended to within a 6.5-mile radius of the airport with a 7.0-mile radius bump out from the 207° bearing from the airport clockwise to the 268° bearing from the airport, and extensions south, northwest, and north of the airport should be established to contain IFR departures to 1,200 feet above the surface and IFR arrivals descending below 1,500 feet above the surface. The southern extension would be within 2.6 miles on each side of the 160° bearing from the airport, extending from the 6.5-mile radius to 8.5 miles south of the airport. The northwest extension would be within 2.6 miles on each side of the 326° bearing from the airport, extending from the 6.5-mile radius to 7.5 miles northwest of the airport. Finally, the northern extension would be within 1.0 miles on each side of the 340° bearing from the airport, extending from the 6.5-mile radius to 10.8 miles north of the airport.

This action also proposes two administrative updates to the Class E legal description. The second line of the text header should be updated from “Burlington, Kit Carson County Airport, CO” to “Kit Carson County Airport”, to match the FAA database. Additionally, the third line of the text header should be updated from “(lat. 39°14’41”N., long. 102°17’05”W.)” to “(lat. 39°14’33”N., long. 102°17’07”W.)” to match the FAA database.

Class E airspace designations are published in paragraph 6005 of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in FAA Order JO 7400.11.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

### **Regulatory Notices and Analyses**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### **Environmental Review**

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

### **List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

### **The Proposed Amendment**

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

**PART 71 - DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS;  
AIR**

**TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

\* \* \* \* \*

**ANM CO E5 Burlington, CO [Amended]**  
Kit Carson County Airport, CO  
(lat. 39°14'33"N., long. 102°17'07"W.)

That airspace extending upward from 700 feet above the surface within 6.5-mile radius of the Kit Carson County Airport, and within a 7.0-mile radius of the airport from the 207° bearing from the airport clockwise to the 283° bearing from the airport, and within 2.6 miles on each side of the 160° bearing from the airport, extending from the 6.5-mile radius to 8.5 miles south of the airport, and within 2.6 miles on each side of the 326° bearing from the airport, extending from the 6.5-mile radius to 7.5 miles northwest of the airport, and within 1.0 mile on each side of the 340° bearing from the airport, extending from the 6.5-mile radius to 10.8 miles north of the airport.

Issued in Des Moines, Washington, on October 27, 2021.

B. G. Chew  
Acting Group Manager  
Operations Support Group  
Western Service Center

